THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 25433 of 2006

Date: 11.12.2006

Between:

K. Rajaiah.

.... PETITIONER

AND

The District Collector/Executive Director, A.P.State Housing Corporation Limited, Nalgonda and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 25433 of 2006

Order:

Questioning the proceedings dated 29.11.2006 of the 1st respondent-District Collector/Executive Director, wherein the petitioner was placed under suspension pending enquiry, alleging that he collected bribe from the beneficiaries of Tripuraram Mandal for releasing of payments under IAT Programme, the present writ petition is filed.

2. Learned counsel for the petitioner submits that the petitioner has absolutely no connection either with beneficiaries or the contractors with regard to the alleged collection of bribe, and only in pursuance to the news item transmitted in TV9 on 29.11.2006, the 1st respondent has issued the impugned suspension order against him, without verifying the truth or otherwise of the veracity of the news item. He further submits that the impugned suspension order was issued to the petitioner with a *mala fide* intention to victimize him, and he wants to submit his detailed explanation to the impugned order.

3. The petitioner was placed under suspension pending enquiry on certain irregularities. In service jurisprudence suspension pending enquiry is not a punishment. The impugned

order was issued on 29.11.2006 and the writ petition is filed on 05.12.2006 i.e., within seven days from the date of the impugned order. Therefore, it is too premature to interfere with the said suspension order. That apart, the petitioner, without submitting any explanation to the impugned suspension order, directly approached this Court. Hence, it is not proper for this Court to interfere with the order of suspension pending enquiry, and more so when suspension pending enquiry is not a punishment.

4. However, the petitioner is at liberty to submit his detailed explanation to the impugned suspension order, and on submitting such explanation, the respondents shall consider the case of the petitioner for revocation of his suspension order in the light of the material available on record and pass appropriate orders in accordance with law.

5. With the above observations, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 11.12.2006

sj/nsr